

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 22-cv-24023-SCOLA/GOODMAN

KENNETH C. GRIFFIN,

Plaintiff,

v.

INTERNAL REVENUE SERVICE and U.S.
DEPARTMENT OF THE TREASURY,

Defendants.

POST-DISCOVERY HEARING ADMINISTRATIVE ORDER¹

On March 8, 2024, the Undersigned held a Zoom videoconference hearing on the parties' discovery disputes. [ECF Nos. 92; 93; 95–97]. At the hearing, the Undersigned ordered as follows:

The parties will proceed with Charles Edward Littlejohn's deposition as scheduled on March 19, 2024. In the meantime, the Government will continue producing additional

¹ This written Order includes an additional requirement not mentioned during the Court's *ore tenus* ruling.

documents on a rolling basis up to and including the date of Mr. Littlejohn's deposition.

The Court appreciates the magnitude of the effort being made by the Government's attorneys. Nonetheless, the Government's team will need to continue working diligently on their document production through March 19, 2024. During the time period leading up to (and including) Mr. Littlejohn's deposition, the Court does not expect any lesser efforts being made and, to the extent possible, the Government should *increase* its efforts by adding hours or attorneys to the schedule.

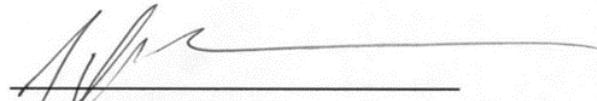
At the deposition, Plaintiff will be able to find out from Mr. Littlejohn whether or not there are certain additional documents which exist, or likely could exist, which have not yet been produced.

If Plaintiff wishes to obtain additional relief which would require the Government to resume its document production efforts past March 19, 2024, then Plaintiff will need to cite (page and line) to testimony from Mr. Littlejohn's deposition and any additional theories which might implicate the relevance of any continued discovery. In other words, after March 19, 2024, the Government may cease its document production and will not need to start it up again unless and until Plaintiff can demonstrate to the Court through Mr. Littlejohn's deposition testimony *why* the Court should require the Government to resume its document production.

By **March 18, 2024**, the Government shall submit an affidavit or declaration from an appropriate IRS attorney explaining in detail how many lawyers were working on the

ESI discovery response and the number of days and hours they worked from March 8, 2024 through the date of the affidavit or declaration.

DONE AND ORDERED in Chambers, in Miami, Florida, on March 8, 2024.



Jonathan Goodman
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

The Honorable Robert N. Scola, Jr.
All Counsel of Record